

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ABSOLUTE RESOLUTIONS INVESTMENTS, LLC, :
                                           :
                                           : 22 Civ. 2079 (VM)
Plaintiff,                               :
                                           :
- against -                             : ORDER
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CITIBANK, N.A.,                         :
                                           :
                                           :
Defendant.                               :
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**VICTOR MARRERO, United States District Judge.**

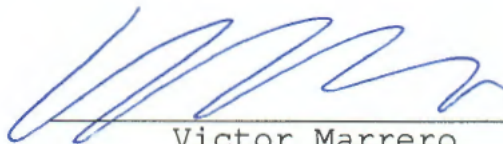
On March 21, 2022, consistent with the Court's Individual Practices, counsel for defendant Citibank, N.A. ("Citibank") sent counsel for Absolute Resolutions Investments, LLC ("Absolute Resolutions") a premotion letter identifying alleged deficiencies in the Complaint (see Dkt. No. 1) that Absolute Resolutions filed in this action, and that allegedly would provide a basis supporting a motion to dismiss. (See Dkt. No. 8-1.) On April 4, 2022 also consistent with the Court's Individual Practices, counsel for Absolute Resolutions sent a three-page letter in response, opposing the grounds that Citibank stated in favor of the proposed motion. (See Dkt. 8-2.) On April 8, 2022 the Court received a letter from Citibank asserting that the letter exchange did not resolve the dispute and thus failed to avoid motion practice at this stage of the proceedings. (See Dkt. No. 8.) On June 24, 2022, the Court directed Citibank to file a motion to dismiss limited to three pages in length, (see Dkt. No. 12 ("June 24 Order")), which Citibank did on July 1, 2022. (See Dkt. No. 13.)

In light of recent Second Circuit opinions, the parties are directed to advise the Court whether they consent for the Court to

deem the briefing as set forth in the June 24 Order as a fully briefed motion and rule on the basis of the limited briefs, or whether the parties request supplemental or full briefing on Citibank's motion. If the parties request supplemental or full briefing, they shall submit a proposed briefing schedule within one week of the date of this order.

**SO ORDERED.**

Dated: New York, New York  
August 9, 2022

  
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Victor Marrero  
U.S.D.J.